

WASHINGTON, SUNDAY, JANUARY 5, 1908.

PRESIDENT TO TELL
HOW HE REGARDS
BROWNSON'S ACTTwo Letters Upholding
Rixey to Be Given
Public Tomorrow.

The now famous Brownson-Rixey controversy, which has stirred the navy more than any occurrence since the Sampson-Schley feud of the Spanish-American war, gives promise of becoming a cause celebre in American naval and political history. President Roosevelt promises to tell his side of the case tomorrow.

It can be said upon authority of Senators and Representatives who have discussed the case with the President and Secretary Metcalf, that President Roosevelt in his letter accepting the hasty resignation of Rear Admiral Brownson as chief of the Navigation Bureau, charged Brownson with conduct so prejudicial to good order and discipline as to make him liable to a court-martial.

Brownson Continues Quiet.

Brownson still has the President's letter securely locked up in his private safe and declines to make it public. He refuses to affirm or deny what public men now claim, that the President holds him guilty of disobedience of orders in tendering his resignation rather than promulgate orders placing Dr. Stokes in command of the hospital ship Relief.

To inquirers at the White House the President has indicated his determination to withhold both Brownson's letter of resignation and his acceptance of it. Announcement was made last night, however, that two letters written by the President to Secretary Metcalf, defending the policy of placing surgeons in command of hospital ships, authorizing the order for Surgeon Stokes to command the Relief, upholding the attitude of Surgeon General Rixey, and repeating the terms of his letter accepting Brownson's resignation, will be given to the public tomorrow.

Brownson's friends are claiming confidently that Congress will call for the complete correspondence.

Rixey Preparing Statement.

Rixey is preparing a statement from the records to sustain his position. It is understood that it will show that he knew the President's plans for sending the battleship fleet to the Pacific before Secretary Metcalf or anyone else in the department. It was in the middle of June, before news of the projected cruise had leaked out, that Rixey laid plans for the fitting out of the Relief as a hospital ship.

OIL TRUST FACES
\$34,000,000 FINEFederal Judge Overrules
Demurrers to Indictments
of 1,700 Courts.

BUFFALO, N. Y., Jan. 4.—By overruling today the demurrer of the Standard Oil Company of New York, and the Vacuum Company, a subsidiary concern, to the seven indictments for rebating returned by the grand jury in Jamestown last spring, Judge John R. Hazel, of the United States district court, makes it possible to impose a fine aggregating \$34,000,000 on the great Oil trust headed by John D. Rockefeller.

There are 1,700 counts in the indictments, and the maximum fine in each is \$20,000. In the event of the company being found guilty on all counts and the maximum fine for each offense being imposed, the total would exceed by \$4,000,000 the fine imposed on the Standard Oil Company by Judge K. M. Landis, in Chicago.

The indictments will be tried in the March term of the United States district court in Buffalo.

SEEK PURSE SNATCHERS
IN STREETS OF CAPITAL

As a first step in the crusade which the local police department intends taking against purse snatching in the District, Captain Boardman, of the Central Office, had over half of his force scattered all over the downtown districts yesterday evening.

Besides the regular members of the detective force, six or seven policemen in citizen's clothes were assigned to different districts where this crime has been prevalent.

The locality about Massachusetts avenue and Fourteenth street was guarded by three or four of the most efficient members of the force. A number of men were also detailed to patrol the streets included in the shopping districts.

SENATOR TURNED DOWN.

Senator Stephenson of Wisconsin was turned down by the War Department yesterday in his efforts to have former Lieutenant Charles D. McCullough, of Wisconsin, reinstated in the service. McCullough is in the penitentiary for financial irregularities while with the Fifth Cavalry in Cuba.

Second Thaw Trial Opens Tomorrow;
Prisoner Relies Upon Insanity Plea
And His Girl Wife's Graphic Life Story

EVELYN NESBIT THAW

Cause of Harry Kendall Thaw Assassinating Stanford White, and the One Person Thaw Expects to Make Jury Believe He Was Insane at the Time of the Tragedy.

JUSTICE VICTOR J. DOWLING,
Who Will Preside at the Trial.HARRY KENDALL THAW,
Slayer Whose Life Will Be in a Jury's
Hands a Second Time.MARTIN W. LITTLETON,
Thaw's Chief Counsel.MRS. WILLIAM THAW,
The Prisoner's Devoted Mother, Who Is
Sacrificing Fortune in Son's Defense.

NEW YORK, Jan. 4.—In the same room where a year ago one of the bitterest legal battles in the history of New York's criminal courts was waged for three months, with the fate of the same prisoner at issue, the second trial of Harry Kendall Thaw for the murder of Stanford White will begin at 10:30 Monday morning.

The hearing will be a revised and improved presentation of the first legal spectacle. There will be no "stage waits." New thrills will be introduced. Long, ambiguous portions of the original production will be eliminated.

That internationally famous heart interest theme—the story of love, hate, and revenge—which formed the basis of the first drama will be produced and elaborated on, but the production will be under a different stage management. Martin W. Littleton, chief counsel for

the defense, having supplanted Delphin M. Delmas in that role.

Spectacular Features Retained.

A decision of the attorneys for the defense, Littleton, Daniel O'Reilly, and Russell Peabody, to rely on a straight insanity defense—that Thaw was insane at the time of the shooting, but has since recovered his reason—will not rob the hearing of its spectacular features.

The orgies of millionaires and chorus girls in Stanford White's studios, the side lights on night life on Broadway and in New York's Tenderloin, the visit of principals to romantic spots throughout Europe, and the nights in the Latin Quarter of Paris will all be rehearsed in the attempt to show that these various episodes all played a part in wrecking the mind of the young millionaire.

As in the first trial, the direct case of the State will be brief and to the point and probably will only consume a few hours, just enough witnesses being introduced to prove that Thaw actually did the shooting. Then will come the presentation of the defense's case with all its many details.

Evelyn to Tell Story.

There is every reason to believe that as in the former trial the master stroke of the defense will be the story of Evelyn Nesbit Thaw. Her story of her great wrong at the hands of White. This narration, which, first made by Evelyn to Harry Thaw in Paris in 1904, is said by the defense to have wrecked the latter's reason, will again be heard. There will probably be new developments as the result of her story, for District Attorney Jerome has not been idle since the last trial. Last summer he had Assistant District Attorney Garvan go all over the ground which Thaw and his wife traversed on their European trip before their marriage as she told in detail while on the stand.

Mr. Garvan, it is said, has brought many new facts to light. The district attorney has said his case will be brief. He will not occupy more than two hours in presenting it, but he will consume

a great deal of time on rebuttal as he did last time.

Numerous Insanity Experts.

Following this line of evidence will come that of the insanity experts, a regiment of whom will appear on each side. It is expected, however, that this phase of the trial will be much briefer than in the previous case.

In the first trial, days were consumed by District Attorney Jerome in his bailing and cross-examination of the defense's experts. While the one object of this action was, of course, to break down the testimony, the prime object of the prosecutor was to spar for time to enable J. C. Smith, brother-in-law of Stanford White, to get back to this country from Europe in time to testify for the prosecution.

Smith's story in the last trial was the most stunning blow dealt the defense. He testified as to Thaw's coolness, calmness, and apparent sanity during the few minutes directly preceding the tragedy at Madison Square Garden June 25, 1906.

Every effort will be made by the attorneys on both sides and Justice Victor J. Dowling, before whom the case will be tried, to facilitate a speedy trial of the case. Owing to the difficulty expected in the attempt to secure a jury, night sessions for the examination of witnesses will be held, and it is possible that if the case threatens to drag out too long night sessions for the taking of testimony will also result.

Handling Curious Crowds.

Special arrangements have been made by the police for handling the crowds, and as an indication of the fact that there has been no lessening of the interest in the famous case, telephone and telegraph companies are making preparations to handle a volume of news from press associations and special correspondents almost as great as that turned out at the first hearing of the case.

Special artists and writers have been engaged by all the New York papers, and numerous special correspondents and human interest writers from out-of-town papers will be on hand. As at the previous trial, Thaw's aged

WILLIAM T. JEROME,
District Attorney, Who Will Make Second Battle to Send Thaw to the
Electric Chair.STANFORD WHITE,
Architect Shot Down by Thaw on
Madison Square Roof Garden.

mother and his young wife will be in the court room every day, together with Mr. and Mrs. George Lauder Carnegie, the latter a sister of Thaw. During the early stages of the trial the Countess of Yarmouth, also Thaw's sister, will not be present.

There is considerable speculation as to what effect the action of the Countess of Yarmouth yesterday on the filing suit for an annulment of her marriage to the Earl of Yarmouth will have on her relations with her brother during the trial.

Harry Thaw and his titled sister always have been close and it was the latter's devotion to her brother in his hour of trouble that is believed to have been responsible for the rupture between her and her husband. It is rumored that once the Countess adjusts her legal affairs in her suit against her husband she will hasten to America and be at her brother's side during the closing days of the trial at least.

Trial Influenced Suit.

There was a rumor afloat today, evidently of Pittsburgh origin, that the approach of Harry Thaw's trial was directly responsible for the filing of the Countess' suit for the annulment of her marriage at the present time. If this

Thaw's Mother Heartbroken;
Made Ill by Many Sorrows

PITTSBURG, Pa., Jan. 4.—Surrounded by everything that money can buy—except the freedom of her son, Harry Kendall Thaw, who will again go on trial Monday for murder, and the domestic happiness of her daughter Alice, who has applied for a nullification of her marriage to her actor-nobleman husband, the Earl of Yarmouth—Mrs. William Thaw is lying so ill at her home on the Beechwood Boulevard here that she is unable to travel.

Physicians predict that she will be unable to attend her son's second trial. Intimate friends say her heart is crushing by weights of trouble and sorrows. She journeyed to Michigan last summer in search of health, but the trip was fruitless, and since her return she has constantly been growing worse and there is little doubt that Mrs. Thaw is in a critical condition. Mrs. Thaw's lot has been a sad one.

She was suddenly plunged into sorrow by her husband's death. The disposition of his millions had hardly been settled before Harry Thaw began his escapades. Small-sized fortunes were given him to pay his way out of difficulties. Then came Evelyn Thaw, the beautiful chorus girl and artists' model. The young millionaire's mother worked strenuously to prevent his marriage, but she failed. Then came Stanford White's murder.

This was followed by the Countess of Yarmouth's arrival at her brother's trial, when she unburdened herself to her mother and intimated that things were not as they should be between husband and wife.

The blow that crushed Mrs. Thaw's spirit came with the announcement of the disagreement of the Thaw jury. She confidently expected acquittal on the first ballot.

annulment takes place \$1,000,000 set aside as a settlement on the noble couple would be released so that the funds might be used in the Thaw defense.

There is no denying that great inroads have already been made on the Thaw fortune and that probably unless some ready cash can be raised, holdings of the family will have to be disposed of at great sacrifice in order to finance the defense of Thaw during the present hearing.

Under a new arrangement of the courtroom Thaw will not be permitted this year to sit so close to his family as to be able to pass notes to them as he was during the previous hearing. Neither will he be able to pass them as he enters and leaves the room. Instead he will be seated within a railing directly in front of the bench and some twenty feet from his people. He will enter and leave the court by new and specially constructed aisles at the outside edge of the courtroom.

Women to Be Barred.

No women will be permitted in the court room except members of the family and active engaged newspaper writers. It is probable that all sketch artists will also be barred from the court, though a ruling to this effect last year did not prevent pencil wielders from making sketches.

Except for Mrs. William Thaw, all of the principals in the case are in good physical condition for the opening of the trial. Thaw is said to be in splendid health, and Evelyn, having weathered the first shock of the tragedy, is now said to be in better health and to be well equipped for the ordeal that is before her.

The first jury panel of three hundred men has been ordered to report Monday morning. There are no legal stumbling blocks in the way, and unless the unforeseen happens, the opening skirmish

in the second fight for Thaw's life will begin at the hour scheduled.

When Thaw goes into court on Monday he will be backed by a report of three alienists that he is now in perfect physical and mental condition. This report is based on a rigid examination the physicians made on Thaw lasting from early yesterday till this afternoon. Thaw himself requested that the examination by the insanity experts be retained by the defense be made. There was a conference between the physicians and Thaw's counsel and it was then decided to have the examination of his condition gone through. No one but the doctors was admitted to Thaw's cell while it was going on.

Thaw was subjected to every known test for insanity and when the three experts got through with him, it was said that he could pass any life insurance or any other test known. The physicians then made a report to the lawyers and these reports will be used at the trial to show that Thaw is in perfectly normal shape now.

BURGLARS MELT A SAFE.

MARSEILLES, Jan. 4.—A sensation has been caused here by the exploit of burglars in melting down a safe by means of an oxygen lamp and a blowpipe. The police authorities declare that if burglars take to using oxygen and acetylene lamps with blowpipes safe manufacturers have a new and very formidable prospect to confront.

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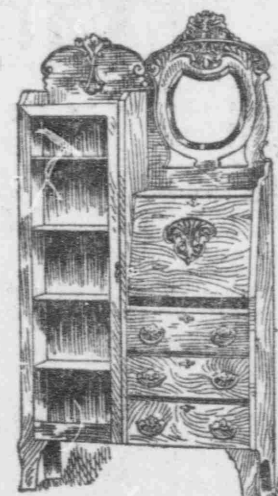
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